

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

JOHN HOOSIER,

Plaintiff,

v.

No. 22-CV-052-JFH-JAR

MATTHEW GORE, et al.,

Defendants.

OPINION AND ORDER

On February 14, 2022, Petitioner, a pro se prisoner incarcerated in the Marshall County Jail in Madill, Oklahoma, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 [Doc. No. 1] and a motion for leave to proceed *in forma pauperis* [Doc. No. 2]. Also on February 14, 2022, the Court entered an Order referring the case to a Magistrate Judge pursuant to 28 U.S.C. § 636 [Doc. No. 3], and a second Order concerning referral to the Magistrate Judge was sent on March 22, 2022 [Doc. No. 5]. On March 8, 2022, and April 4, 2022, the mail sent by the Court to Plaintiff at the Marshall County Jail was returned with notations of “Return to Sender, Attempted - Not Known, Unable to Forward” [Doc. No. 4 at 3] and “RTS No longer here” [Doc. No. 6 at 2].

Because Petitioner has failed to advise the Court of his current address, as required by Local Civil Rule 5.6(a), this action is dismissed without prejudice for his failure to prosecute. *See United States ex rel. Jimenez v. Health Net, Inc.*, 400 F.3d 853, 854-56 (10th Cir. 2005) (dismissing appeal *sua sponte* for failure to prosecute because appellant disappeared and failed to meet court deadlines).

THEREFORE, this action is, in all respects, DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS SO ORDERED this 7th day of April 2022.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE